

WIAL Response to Further Information Request (SR455891)

Further Information Request 24.1.20	WIAL Response
<b>Structure of Designation and Conditions</b>	
<p>1. NOR Appendix C, page 1, sets out a list of activities which may be established “<i>within the designated area</i>”. The Council considers that not all these activities will be appropriate in all the precincts identified by the NOR – although that is what the introductory wording implies by stating ‘within the designated area’. The issue is compounded by the approach taken to outline plan criteria noted in Question 2 below. Please explain whether it is WIAL’s intention to permit all activities in all precincts (subject only to the need for an outline plan in very limited circumstances). If that is not WIAL’s intention, then please provide amended wording of the designation’s introduction, and / or the wording of conditions, to address the issue. If it is WIAL’s intention to permit all activities in all locations, then the Council considers that the NOR assessment of effects is significantly deficient and would need to be amended to address the effects of the full range of activities that would be anticipated by the designation such as the effects of significantly higher building works which would only be subject the outline plan process.</p>	<p>The NOR seeks to generally emulate the activities that are currently permitted within the Airport Area of the Airport and Golf Course Recreation Precinct.</p> <p>In accordance with Rule 11.1.1 of the District Plan, any activity which is related to the primary function of the Airport, is a permitted activity provided it complies with certain conditions.</p> <p>The “Primary Function of the Airport Area” definition that accompanies this reads as follows:</p> <p><i>Means the transport of people and cargo by aircraft and any ancillary activity or service that provides essential support to that function. This includes, but is not limited to, aircraft operations, airport operational activities (such as runways, traffic control structures and terminal buildings), cargo warehouses and other storage facilities, airport travellers accommodation and services, vehicle parking and servicing, aircraft catering and servicing, retail and commercial services that support airport activities (provided that such retail and commercial services are located within the Terminal Area), internal roading, access and service ways.</i></p> <p>Aside from retail and commercial activities being limited to within the Terminal Area, there are no other limits set out within Rule 11.1.1 as to where this reasonably broad list of permitted activities can be located within the Precinct (provided compliance with the various conditions and standards in Chapter 11). The NOR has adopted a very similar approach with respect to the provision for activities within the designation.</p> <p>It is accepted however that the current drafting of the NOR does not limit retail activities to the Terminal Area, and WIAL agrees that this should be the case.</p> <p>Currently, the NOR states the land may be used for:</p> <p><i>Retail activities, restaurants and other food and beverage facilities including takeaway food facilities and industrial and commercial activities, provided they serve the needs of passengers, crew, ground staff, airport workers, and other associated workers and visitors.</i></p> <p>To alleviate the concern expressed in the request for further information, WIAL proposes to limit the location of retail development enabled by the NOR by altering the purpose of the designation which currently provides for these types of activities as follows:</p> <p><i>Retail, <u>service retail</u>, restaurants and other food and beverage facilities including takeaway food facilities <del>and industrial and commercial activities</del>, provided they <u>are located within the Terminal Precinct</u> serve the needs of passengers, crew, ground staff, airport workers, and other associated workers and visitors.</i></p> <p>Industrial and commercial activities, where they are related to airport or aircraft operations, for example postal and freight processing, commercial kitchens for aircraft catering, or the manufacturing of aircraft componentry, are likely to be situated outside the Terminal Precinct. It is therefore appropriate to enable such activities within other parts of the Airport designation, provided they are directly associated with Airport or aircraft operations. An additional activity is proposed to be added to the purpose of the designation as follows:</p> <p><i><u>Industrial and commercial activities provided they are associated with aircraft operations or serve the needs of passengers, crew, ground staff, airport workers, and other associated workers and visitors.</u></i></p> <p>Such activities would be subject to the outline plan criteria and conditions, and if compliance cannot be achieved with the relevant criteria (e.g. building heights, landscaping, signage, etc) an outline plan would need to be submitted in order to authorise the establishment of these within the Airport designation.</p> <p>Accordingly, WIAL does not consider that an outline plan will only be required “in very limited circumstances” or that the NOR Assessment of Effects is significantly deficient.</p>
<p>2. NOR Appendix C, page 2, Condition 1, states that “<i>an outline plan need not be submitted if the following criteria is achieved within a Precinct</i>”. This appears to create a fundamental issue, in that for each of the listed precincts / areas, the outline plan threshold is limited to a narrow set of criteria (different in each area). As an example, it could be read that in the Rongotai Ridge Precinct, provided that the earthworks criteria are met, then any of the activities listed on page 1 of Appendix C could occur and not be required to submit an outline plan. As another example, it could be read that retail activities are permitted anywhere within the designation and are subject to no conditions. Please consider and advise how this could be clarified by changes to the wording of Appendix C.</p>	<p>This is not how the structure of the NOR is intended or drafted. Referring to the Rongotai Ridge Precinct, it is correct that there are specific limits regarding the extent of earthworks that can be undertaken without triggering an outline plan requirement. This is intended to be consistent with the Rule 11.1.6 of the District Plan for example (i.e. instead of triggering a resource consent, it triggers an outline plan requirement).</p> <p>However, it is also intended and drafted so that this Precinct is subject to the limits set out within Criteria 1 C – F, as well as H, I and K – L that apply to all precincts (with some exceptions). These criteria relate to matters such as building height, signage, etc – similar to the approach that is currently taken within Chapter 11 for such development within this area.</p> <p>While WIAL is of the view that the intent and structure of the NOR is reasonably clear, consideration has been given on how to re-frame the purpose of the designation so that there is no potential for confusion and amendments to the conditions have been made. The revised conditions are attached as <b>Annexure A</b> to this response.</p> <p>The concern about retail activities has been addressed above.</p>

Further Information Request 24.1.20	WIAL Response																																	
<p>3. A key concept of the NOR is that where an activity is currently permitted by the district plan provisions or is considered to have effects which are minor or less than minor, no outline plan is required to be submitted. However, it relies on 'currently permitted' provisions. In effect, this will lock in place the current permitted activity provisions. Please outline WIAL's views about the relationship between the NOR and the future state of Airport Zone provisions under the district plan review.</p>	<p>The existing performance standards for the zone are generally appropriate for managing the effects of land use activities carried out on the airport land. As such, where they are effective, and they have been transcribed into criteria or conditions on the designation.</p> <p>While WIAL acknowledges that there is a pending review of the Airport Zone provisions and anticipates it will be an active participant in such a process, that is for the future and the relationship between the two is unknown other than the statutory relationship in terms of the RMA. It may be necessary for WIAL to review its designation at this time.</p> <p>The RMA also provides for designations to be 'rolled over' from an operative district plan into a proposed district plan and the Requiring Authority can elect to do so with or without modifying the purpose of the designation or any limits or conditions (refer Schedule 1(4)(1b)).</p> <p>Furthermore, section 170 of the Act allows the Council, which intends to notify a proposed plan within 40 working days of receipt of the requirement under section 168, to include the requirement in its proposed plan instead of complying with the process set out in section 169, so depending on timing of the review this may or may not be a potential avenue.</p>																																	
<p>4. NOR Part B, page 4, notes that "<i>the designation also seeks to update some of the land use controls which are currently in the District Plan but are no longer applicable or relevant to the Airport environment</i>". Please provide a list of the land use controls referred to as being 'updated' and highlight differences to the existing controls. The Council has undertaken its own review but wishes to ensure that all differences in wording are known.</p>	<p>The following table sets out the rules / conditions which have been omitted from the NOR and the rationale for doing so:</p> <table border="1" data-bbox="857 657 2825 1696"> <thead> <tr> <th>Rule Reference</th> <th>Detail</th> <th>Reason</th> </tr> </thead> <tbody> <tr> <td>11.1.1.3</td> <td>New Zealand Defence Force Military Aircraft</td> <td>Aircraft movements and resulting noise arising from military aircraft cannot be easily managed by WIAL. There may be times of national emergency or security that requires military aircraft to land at Wellington Airport. That said, it is difficult to extract military aircraft movements from the overall monitoring of aircraft operations and resulting noise and therefore such movements will be inherently captured as part of WIAL obligations to monitor aircraft noise within the ANB.</td> </tr> <tr> <td>11.1.1.4</td> <td>Non noise certified jet aircraft or chapter 2 jet aircraft</td> <td>These types of aircraft are either no longer permitted to operate within New Zealand airspace or have been superseded and therefore no longer use Wellington Airport.</td> </tr> <tr> <td>11.1.1.2</td> <td>Screening of Activities and Storage</td> <td>WIAL have purchased a significant number of the properties that directly adjoin the Airport which are zoned outer residential. It therefore seems to be an unnecessary requirement to install a fence in such circumstances along such boundaries. In other situations where WIAL does not own the property, for example at 23 Bridge Street, fencing has already been established. The Airport also already has security fencing installed around the perimeter of its operational areas and WIAL is obliged to maintain this as an ongoing priority.</td> </tr> <tr> <td>11.1.1.3</td> <td>Dust</td> <td>Dust generation is a potential safety concern for aircraft utilising Wellington Airport. It is therefore WIAL's priority to ensure any such emissions are minimised at all times, regardless of whether this is a requirement of the District Plan. It is also noted that the Regional Plan controls earthworks and dust emissions and additional duplication within the NOR was not required. On the basis of these matters, the condition was considered to be unnecessary.</td> </tr> <tr> <td>11.1.1.4</td> <td>Vehicle Parking</td> <td>Refer to the response to question 8 below.</td> </tr> <tr> <td>11.1.1.7</td> <td>Hazardous Substances</td> <td>As explained in the NOR, WIAL did not include the hazardous substance controls within the NOR. This was to avoid unnecessary duplication of control, as it is considered that the storage, use, disposal and transportation of hazardous substances is properly and comprehensively managed via other legislation and relevant New Zealand standards (e.g. HSNO and WorkSafe requirements). Discharges involving hazardous substances are also controlled via regional plan provisions. These controls ensure that any risk to public health and safety is extremely low, and it is not necessary to include duplicate provisions in the designation. It is also likely that the hazardous substance provisions will not be rolled over in any Council review of the Plan (at least in their current form), as amendments to the RMA in 2018 saw the removal of this function from local authority Plans.</td> </tr> <tr> <td>11.1.1.8</td> <td>Landscape Design</td> <td>Refer to the response question 21 below.</td> </tr> <tr> <td>11.1.1.9</td> <td>Discharge of Contaminants</td> <td>The control of discharges to land, air and water is a regional council matter and does not need to be controlled by conditions attached to the designation.</td> </tr> <tr> <td>11.1.3</td> <td>Subdivision</td> <td>It is anticipated that the subdivision rules of the Plan would remain applicable.</td> </tr> <tr> <td>11.1.4</td> <td>Upgrade and maintenance of existing roads and accessways</td> <td>The upgrading and maintenance of roads and accessways is provided for as part of the activities that would be enabled by the designation. A separate condition was not considered necessary.</td> </tr> </tbody> </table>	Rule Reference	Detail	Reason	11.1.1.3	New Zealand Defence Force Military Aircraft	Aircraft movements and resulting noise arising from military aircraft cannot be easily managed by WIAL. There may be times of national emergency or security that requires military aircraft to land at Wellington Airport. That said, it is difficult to extract military aircraft movements from the overall monitoring of aircraft operations and resulting noise and therefore such movements will be inherently captured as part of WIAL obligations to monitor aircraft noise within the ANB.	11.1.1.4	Non noise certified jet aircraft or chapter 2 jet aircraft	These types of aircraft are either no longer permitted to operate within New Zealand airspace or have been superseded and therefore no longer use Wellington Airport.	11.1.1.2	Screening of Activities and Storage	WIAL have purchased a significant number of the properties that directly adjoin the Airport which are zoned outer residential. It therefore seems to be an unnecessary requirement to install a fence in such circumstances along such boundaries. In other situations where WIAL does not own the property, for example at 23 Bridge Street, fencing has already been established. 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<p>5. NOR Part B, page 5, refers to other notices of requirement that will be issued in the near future. The NOR notes "<i>that there is some overlap in terms of the land that is subject to this "main site" NOR and land which is included in the Other Notices. ... If the other</i></p>	<p>This refers to a NOR which has already been filed by WIAL for the former Miramar South School site (ref: SR417661) and is in reference to WIAL's NOR for adjacent land to the east of the Airport zone, currently occupied by the Miramar Golf Club (ref: SR460636) that has recently been filed.</p>																																	

**Further Information Request 24.1.20**

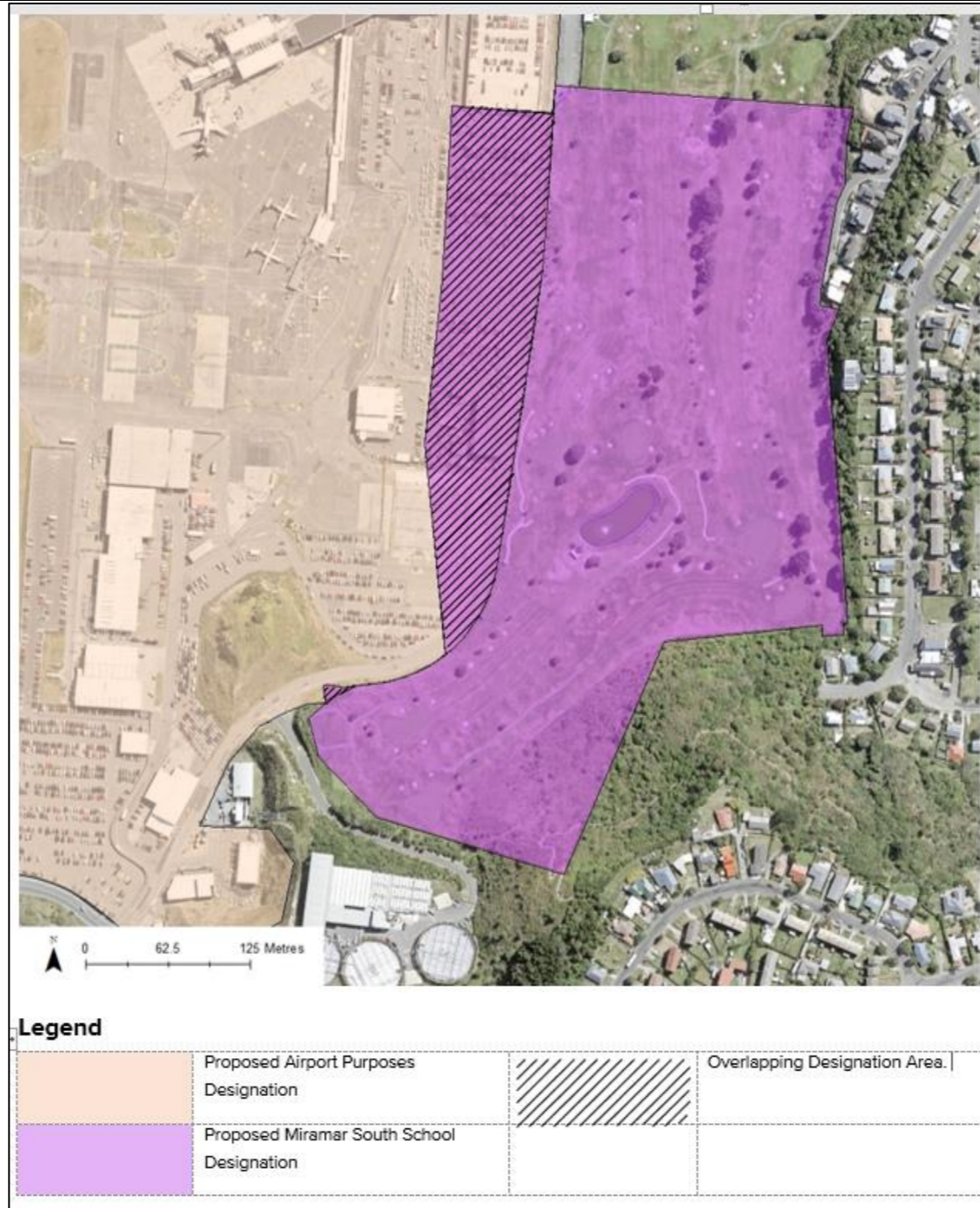
Notices are ultimately confirmed they will likely take precedence over this NOR". Please provide further explanation about why there is physical overlap between the different NORs, and why there is uncertainty about whether this NOR or the others would take precedence in the areas of overlap. Please advise why you consider this situation creates no issues for the NOR process.

**WIAL Response**

The overlap areas are shown in the figure below:



**Figure 1: Miramar South School Designation Overlap with the Main Site Airport Purposes Designation**



**Figure 2: Proposed East Side Designation Overlap with Main Site Airport Purposes Designation**

The other NOR's are more limiting as to purpose and will be subject to more limiting conditions. This is to manage the effects of the activities that are proposed on these sites in a specific way. As such, those requirements will prevail if and when the two other NOR's are ultimately confirmed for the land in question. If for any reason those NORs are not confirmed, then it is appropriate that the overlap areas shown in the plan above to remain within this designation and continue to be available for Airport purposes.

It is not considered this creates any issue for the NOR process as the overlap areas have been identified and appropriate conditions proposed.

6. The activities enabled by the designation would include "ancillary activities, buildings and structures related to the above". The Council acknowledges that a 'catch all' ancillary provision may be useful but may also present problems due to lack of specificity. Please

The NOR is intended to provide for the activities that currently fall within the definition of "primary function of the airport area" in the District Plan. The District Plan's definition for example, enables "any ancillary activity or service that provides essential support to that function. This includes, but is not limited to,..." Similarly, the NOR seeks to provide for "ancillary activities, buildings and structures related to the above" – the above including airport operations, terminal activities, etc. The use of this provision is not considered to be too broad, as it will only enable activities that are to be undertaken by WIAL as the Requiring Authority, and consideration will need to be given to whether the activity is directly related to the activities or needs of travellers, visitors or staff at the Airport. An activity which is not the financial responsibility of WIAL, or one which is not directly related to the

Further Information Request 24.1.20	WIAL Response
<p>respond, addressing the issue of clarity / specificity around ‘ancillary activities’ – having regard to the district plan’s definition of “<i>primary function of the airport area</i>”, and also to relevant caselaw. The cases <i>Saville v Queenstown Lakes District Council</i>, and <i>Iniatu Limited v Palmerston North City Council</i> may be useful in that regard.</p>	<p>functioning of the Airport, cannot rely on the designation and would have to be assessed in terms of the underlying District Plan zone provisions. This is a regulating factor of the designation.</p> <p>For these reasons and given the “ancillary catch all” is a very small component of the NOR’s description of the Airport Purposes designation, it is not considered to present any problems from an interpretation perspective in light of cases such as <i>Saville</i> or <i>Iniatu</i>.</p>
<b>Retail Activity, Development, Parking and Access</b>	
<p>7. Please clarify whether the NOR intends to enable retail activity throughout the designated area (or alternatively, restrict it to particular locations) and consider whether the intent is clearly expressed and managed by the conditions. If the intention is to enable retail beyond the Terminal and West Side precincts, please provide an economic effects assessment covering the effects such additional retail and commercial development would have on the viability and vibrancy of the Kilbirnie and Miramar centres. The assessment should have regard to the matters referred to as being required for a Centre Impact Report by the standards and terms of district plan rule 11.3.3.5.</p>	<p>As discussed above, WIAL agrees it is appropriate in these circumstances to limit retail activities to within the Terminal Precinct, consistent with the current permitted activity structure of the District Plan.</p>
<p>8. WIAL’s intention to manage parking supply so that it is ‘efficient and effective’ is noted (NOR section 5.4.1) – as is the intention to not manage parking via designation conditions. Please provide further detail regarding how parking efficiency and effectiveness will be measured, and the responses which may be taken if significantly adverse effects are apparent. In this regard, please provide an assessment of the nature and effects of kerbside parking demand outside of the designation area, generated by Airport workers; those members of the flying public unwilling to pay for parking on the Airport site; and rental car operations which do not provide off street parking facilities. Please comment on, and provide wording for, a potential designation condition to establish a monitoring, reporting and response regime aimed at managing the effects referred to above. Please also provide a traffic / parking effects assessment if the designation’s intention is to allow retail and commercial activities outside the Terminal Area (also see question 7 above).</p>	<p>WIAL is aware that a fair proportion of airport users use public transport and that has a bearing on the extent to which space needs to be allocated for carparking. There is also a requirement to have a significant number of temporary or short term car parks (or areas) for people dropping off and picking up passengers at the Airport. There is also staff parking and aviation support parking to factor in. Airports and those involved with airport planning assess demand for on-site carparking according to a reasonably unique set of guiding principles, which are ground-truthed by reviewing what works in other locations. WIAL is therefore best placed to manage this within the Airport to ensure an efficient and effective car parking supply.</p> <p>WIAL consistently obtains and applies advice from specialist airport planners to achieve this. Subjecting Airport related activities to generalised or unrelated car parking demand calculations is likely to result in an under or over supply of the necessary parking facilities required at the site, and will result in an inefficient use of the land resource. Minimum car parking requirements are therefore not proposed as part of the designation, instead car parking will be assessed and developed as part of WIAL’s ongoing strategic review of car parking requirements at the site, alongside planning for and accommodating other modes of transportation in and out of the Airport.</p> <p>More specifically, WIAL models car parking demand using passenger forecasts and the propensity to park (being the percentage of departing passengers who park, calculated using historical trends and any future factors that might affected propensity – other transportation methods, etc). WIAL then examines the length of stay and applies peak occupancy trends and metrics. The output from this modelling provides WIAL with car parking demand into the future so that it can plan accordingly. Staff and stakeholder (e.g. rental cars) are also modelled and further analysed via planning sessions with the various stakeholders. WIAL provides sufficient on-site car parking spaces for staff that it directly employs and rental car facilities operating within its site.</p> <p>WIAL is also acutely aware that inadequate or poorly designed car parking can only create frustrations and delays for its visitors, passengers and employees. This will in turn adversely affect the Airport’s core business. Car park planning will therefore always be based on the best available specialist advice in developing and providing for the growth of the Airport. WIAL is continually seeking ways to improve car parking at its site and has invested in significant infrastructure such as the development of the multi-level car parking building.</p> <p>In order to provide the Council with more certainty regarding this, WIAL agrees that a condition whereby a car parking demand and supply report is produced annually and submitted to the Council for informational purposes. The proposed condition is set out below:</p> <p><i>On an annual basis, the Requiring Authority shall submit to the Wellington City Council a report describing the current status of Airport car parking demand and supply. The report shall include a description of traffic management and car parking within the Airport environs and an overview of any planned changes or improvements in order to improve the efficiency and effectiveness of car parking within the Airport.</i></p> <p>Given the above, WIAL is of the view that both passenger and staff car parking is and will be appropriately provided for as part of the proposed designation. WIAL has no ability to control passengers who opt not to park within the provided WIAL facilities, nor does it have any ability to control rental car operations located off the Airport site that do not provide off-street car parking. A further assessment on this basis is not considered necessary or appropriate.</p>

Further Information Request 24.1.20	WIAL Response
<p>9. NOR Part B, page 22, notes that the Rongotai Ridge area is not currently used for any Airport purposes being predominantly open space and mostly constrained by the OLS. However, it also notes that “the lower land adjacent to Cobham Drive has potential for development”. Please define the location of that land and outline the nature of any development which WIAL foresees on it. Also, given the context of the restricted frontages identified by Map 44 of the district plan (and NOR Part C, Attachment 3), please outline WIAL’s assumptions about the location / nature of access to any future development on the lower land.</p>	<p>This land is currently zoned for Airport Precinct purposes, and the District Plan provisions therefore allow for some development as a permitted activity.</p> <p>WIAL does not have any specific development plans for this site, at this time, but wishes to retain the ability to develop the land as that provided under the District Plan provisions should this be necessary. As such, it is not able to define the location of the developable land nor provide any assumptions about access other than the restrictions that are included as part of Condition 1. Given the nature of a designation, this is not an unexpected outcome and nature of the conditions that specifically relate to the Rongotai Ridge Precinct mean that any significant development on this land will in all likelihood involve an outline plan process.</p>
<p>10. NOR Part B, pages 26/27, notes that Stewart Duff Dr connects the Airport’s two access points from the north and south. WIAL’s recently released masterplan also notes that continued provision for the access road between Moa Point and Miramar will be made around the perimeter of the future apron (the subject of a further NOR). Please explain whether this outcome will be facilitated (i.e., locked in via a condition) by the future NOR for eastward expansion, or whether it should be dealt with by this current NOR. Please also comment on, and provide wording for, a potential designation condition to maintain at least the current levels of legibility and lack of financial penalty for persons using the connector route.</p>	<p>This NOR does not expressly seek any changes to the existing road layout surrounding the Airport.</p> <p>The expansion of the Airport eastwards as indicated in the Master Plan may however necessitate changes to the current road layout. The effects of any proposed road changes will be addressed as part of a NOR relating to that land.</p> <p>WIAL does not intend to propose a condition that provides for continued road access between Moa Point and Miramar via this NOR. It does not consider your reference to “a lack of financial penalty” has any RMA foundation, or that there is a necessity for the Airport to maintain the current legibility given the road is privately owned. WIAL will endeavour to maintain the access to the private road to the greatest extent possible, but cannot guarantee that or at all times given other statutory obligations such as Airport security and noise restrictions.</p>
<b>Signs</b>	
<p>11. NOR Appendix C, Condition 1(J), page 5. This condition requires rewording to make sense.</p>	<p>In light of this request, the approach to signage within the proposed designation has been reviewed. WIAL considers it necessary and appropriate for signage relating to direction or health, safety or security purposes to be able to occur anywhere within the designated site without an outline plan requirement.</p> <p>Other signage the Requiring Authority have responsibility for will likely only occur within the Terminal Precinct. As such, criteria relating to the signs within the Terminal Precinct will remain, and the criteria relating to signage in all other precincts has been removed (refer to the conditions attached). Ultimately, this means that should WIAL wish to establish signage in any other location outside the Terminal Precinct which is not for direction or safety/security purposes, an outline plan will be required. The District Plan rules relating to signage would apply should a third party operator (or unrelated to airport purposes) seek to establish any signage within the designated area.</p>
<p>12. NOR Appendix C, Condition 1(K), page 5. This condition implies signs of any area could be erected anywhere within the Terminal Precinct. It also implies there would be no limitations on a flashing free standing sign under 9m height. Please advise whether these are WIAL’s intentions.</p>	<p>Refer to the above response and amendments to the signage conditions in <b>Annexure A</b>.</p>
<p>13. District plan Rule 11.1.5.1.1 restricts “the total maximum area of signage” on buildings to no more than 20m<sup>2</sup> on each elevation. In contrast, NOR Condition 1(i) (All precincts with the exception of the Terminal Precinct and the West Side Precinct) any number of signs, provided each one is no more than 20m<sup>2</sup>. Please explain whether this is WIAL’s intent and, if so, justify the difference from the current permitted activity standard.</p>	<p>Refer to the above response and amendments to the signage conditions in <b>Annexure A</b>.</p>

Further Information Request 24.1.20	WIAL Response
14. Please confirm whether the 9m and 4m height limits of Conditions K(iii) and L(i)(b) are intended to be a height above ground.	This is consistent with the District Plan rules and is height above ground.
<b>Noise Management</b>	
15. NOR Appendix C, Condition 10(h), page 9. Please advise whether WIAL believes it would be useful to define the term “night”, as used in Condition 10(h).	In this context, “night” is midnight to 6am, consistent with Condition 9. A note has been added to that effect to the condition.
16. NOR Appendix C, Condition 11(b), page 9. Please provide a definition for “essential” maintenance, as used in Condition 11(b).	<p>It is not considered that a definition of “essential” is required and that the dictionary definition will suffice, given it will also be interpreted in conjunction with “unscheduled”. Taken together, it is obvious that the testing must be unexpected and absolutely necessary to be carried out in the evening hours.</p> <p>In addition, in accordance with Wellington Airport’s Noise Management Plan, engine noise testing occurring at the Airport must be undertaken with the policy and procedures set out within it (refer Section 2.4 of the Noise Management Plan). Before an aircraft operator is able to carry out essential unscheduled maintenance between the hours of 8pm and 11pm, they must first confirm with WIAL Operations Control Centre that the purpose of the engine test is for essential unscheduled maintenance.</p> <p>To provide further certainty around this, WIAL proposes to include as a condition of the designation, a requirement to update and maintain its Noise Management Plan including the operation of the Air Noise Committee. This will ensure that those measures, such as the protocols around engine testing, have a statutory basis and are enforceable. Refer to the revised conditions attached as <b>Annexure A</b>. A copy of the current Noise Management Plan is attached to this response as <b>Annexure B</b>.</p>
17. NOR Condition 6 omits the district plan’s current reference to the “90 day” rolling average for sound exposure. Please confirm that this is an error and should be amended.	The requirement for aircraft noise to be measured in accordance with NZS6805:1992 and calculated as a 90 day rolling average is required by Condition 7.
18. Please explain the rationale for excluding the wording or intent of district plan Rules 11.1.1.3 and 11.1.1.4 (Military Aircraft) from the proposed conditions. Alternatively, if there is no need to address military aircraft separately, please advise whether they should be simply included as part of the 90 day rolling average.	Refer to the above response to question 4.
19. Please advise whether, for the sake of transparency, WIAL would amend Condition 10(h) to require a night curfew exemption certificate. See the district plan Chapter 3 definition of “night curfew exemption certificate”, and the explanation to Rule 11.1.1.6.	It is noted that this matter is set out in Section 2.3 of WIAL’s Noise Management Plan (refer <b>Annexure B</b> attached). As noted above, WIAL propose to include as a condition to the designation a requirement to update and implement the Noise Management Plan. This matter is therefore now included within the ambit of the Noise Management Plan requirements of the NOR.
20. Please explain the rationale for the variations in shape / location of the Engine Testing Exclusion Area shown in NOR conditions Attachment 4, by comparison with Map 35 of the district plan.	The shape of the noise exclusion area is consistent with WIAL’s Noise Management Plan (refer <b>Annexure B</b> ). This Plan is up-to-date and is a larger area than what is currently shown in the District Plan maps, and is therefore the preferred exclusion area.
<b>Other Matters</b>	
21. Please explain the rationale for excluding the wording or intent of the last six paragraphs of district plan Rule 11.1.1.8 (Landscape Design) from the proposed conditions.	WIAL reviewed the landscaping requirements set out in Rule 11.1.1.8 and some of the conditions were not carried forward as it was not considered that there was sufficient certainty within them, and in some instances, the requirements were no longer practicable. For example, “fencing and replanting on common boundaries with industrial and commercial properties and the golf course must be planned to maximise screening and security considerations” is difficult to enforce as the only requirement is for it to be “planned”. WIAL has also purchased a number of properties that adjoin its site and zoned for residential purposes, it is not considered appropriate therefore that there remains an obligation to maintain fences and plantings along such boundaries.
22. Please explain the rationale for excluding the wording or intent of district plan Rule 11.1.6.4 (Earthworks on Rongotai Ridge) from the proposed conditions.	This is a regional plan matter and does not need to be duplicated within the NOR.

Further Information Request 24.1.20	WIAL Response
<p>23. The activities enabled by the designation would include “structures to mitigate against the impact of natural hazards”, and we understand that this may include coastal works. Please explain the appropriateness of this provision, having regard to policies of the Regional Policy Statement – in particular, policies 29, 51 and 52. Issues of potential concern are whether the works would be part of a long term hazard management strategy, and potential effects on land outside of the Airport designation.</p>	<p>From time to time WIAL is required to undertake physical works, particularly in the coastal marine area, to maintain runway and airport resilience against the hazard created by wave action in particular. Most of this work occurs in the coastal marine area, and where it is not otherwise authorised, requires necessary resource consents from the regional council under the Regional Coastal Plan. At times, work to facilitate this resilience work occurs on land that is the subject of this NOR, such as construction staging or storage of armouring materials. The NOR is intended to provide for these types of activities.</p>
<p>24. NOR Appendix C, page 7, Condition 5 requires WIAL to prepare a network utilities management plan to “inform” the utility owners. Please explain whether WIAL intends to consult with network utility operators (including WCC) in the preparation of this plan – especially in relation to relocation of services at WIAL’s behest, which Condition 5 appears to mandate. Please also comment on the apparent exclusion of the aviation fuel delivery pipeline (Burnham Wharf–Miramar–Airport) from Appendix F Map of Utilities and any protection which the designation will afford to this strategic asset.</p>	<p>WIAL will consult with all network utility operators in the preparation of the Management Plan.</p> <p>The Map of Utilities submitted as part of the NOR was prepared utilising Council data.</p> <p>WIAL does not intend to designate the aviation fuel delivery pipeline. It is owned and operated by a joint venture between Mobil Oil NZ Limited and BP.</p>
<p>25. NOR page 29 advises that WIAL intends to seek a global resource consent covering any contamination management issues brought to light by a recent detailed site investigation. Please advise of the likely timing and approach to be taken the consent application. Please also provide a copy of the DSI if it has been completed.</p>	<p>WIAL has discussed this matter with Council planning staff and it is likely that a global resource consent will be sought during 2020. A Detailed Site Investigation is still being finalised. It is noted, however, that if any subsequent development or disturbance is undertaken on the site following confirmation of the NOR then this would remain subject to the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (“NES Soil”) until such time as the global consent has been lodged and issued.</p>
<p>26. Please outline the status of the process to purchase 234 – 244 Coutts Street. Does WIAL consider there is sufficient certainty to the outcome, which will enable the Council to legally consider the land as part of the NOR process.</p>	<p>WIAL own the properties at 234 – 244 Coutts Street (refer to Appendix B of NoR for titles). If this question relates to the adjoining road reserve, survey and land valuations have been completed and there is a willing seller / willing buyer arrangement in place between WIAL and the Council. The contact at WCC is Sarah Jane Still.</p>
<p>27. Please outline the status of the process for land exchange with the Council on Moa Point Road. Does WIAL consider there is sufficient certainty to the outcome, which will enable the Council to legally consider the land as part of the NOR process.</p>	<p>Survey and land valuations have been completed and there is a willing seller / willing buyer arrangement in place between WIAL and the Council. The contact at WCC is Sarah Jane Still.</p>



## **Annexure A**

### **Revised Conditions**

# WELLINGTON INTERNATIONAL AIRPORT LTD

## AIRPORT PURPOSES DESIGNATION

### Designation

The designation shall cover the area shown in **Attachment 1** (“**the Designated Area**”).

Subject to the conditions set out below, land within the Designated Area may be used for activities for the operation of Wellington International Airport (“**the Airport**”) including but not limited to:

- Aircraft operations and associated activities, including all ground-based infrastructure, plant and machinery necessary to assist aircraft operations;
- Aircraft rescue training facilities and emergency services;
- Runways, taxiways, aprons, and other aircraft movement areas;
- Airport terminal, hangars, control towers, rescue and fire facilities, navigation and safety aids, lighting and telecommunication facilities, car parking, maintenance and service facilities, catering facilities, freight facilities, quarantine and incineration facilities, border control and immigration facilities, medical facilities, fuel storage and fuelling facilities, facilities for the handling and storage of hazardous substances;
- Associated administration and office activities;
- Roads, accessways, stormwater facilities, monitoring activities, site investigation activities, infrastructure and utility activities, and landscaping;
- Vehicle parking and storage, rental vehicle facilities, vehicle valet activities, and public transport facilities;
- Signage, artwork or sculptures, billboards and flags;
- Hotel/visitor accommodation, conference facilities and services;
- Retail activities, service retail, restaurants and other food and beverage facilities including takeaway food facilities and commercial activities, provided they are located within the Terminal Precinct;
- Industrial and commercial activities provided they are associated with aircraft operations or serve the needs of passengers, crew, ground staff, airport workers, and other associated workers and visitors;
- Structures to mitigate against the impact of natural hazards;
- All demolition (if required) construction and earthworks activities, including associated structures;
- Ancillary activities, buildings and structures related to the above; and

- Servicing, testing and maintenance activities related to the above.

Airport Precinct Development Areas (“**Precincts**”) are shown in **Attachment 2**.

## Conditions

### Glossary:

#### Aircraft Operations

Means the engine runup, taxiing, take-off or landing at the Airport of an aircraft, and “operate” has a corresponding meaning.

### Need for Outline Plan Criteria

1. An outline plan in accordance with section 176A(2) of the Resource Management Act 1991 (“**RMA**”) need not be submitted for any works within a Precinct or at a location if, where relevant, the following criteria are met:

#### Airport Precinct / Location and Outline Plan Criteria

Condition Sub-Reference	Precinct / Location	Activity / Criteria
A	Rongotai Ridge Precinct	Any earthworks shall achieve the following: <ol style="list-style-type: none"> <li>The existing ground level shall not be altered by more than 2.5 metres measured vertically; and</li> <li>The total area of ground surface disturbance shall be less than 250m<sup>2</sup>; and</li> <li>The earthworks shall not be undertaken on slopes of more than 45°.</li> </ol>
B	Terminal Precinct	Buildings or structures shall not exceed a height limit of 25m: except that: <ol style="list-style-type: none"> <li>Buildings or structures located within 8m of the Golf Course Recreation Area shall not exceed a height limit of 12m.</li> </ol>
C	All Precincts with the exception of the Terminal Precinct	Buildings or structures shall not exceed a height limit of 12m; except that: <ol style="list-style-type: none"> <li>Buildings or structures used for hangars shall not exceed a height limit of 15m; and</li> </ol>

Condition Sub-Reference	Precinct / Location	Activity / Criteria
		<ul style="list-style-type: none"> <li>ii. Buildings or structures within 5m of any adjoining Residential zone shall not exceed a height limit of 3m.</li> </ul>
D	All Precincts	<p><b>Lighting – Non-Aviation Activities</b></p> <ul style="list-style-type: none"> <li>i. Any development or activity which includes pedestrian routes and/or car parks available for public use during the hours of darkness shall be lit at a minimum of 10 lux measured in accordance with AS/NZS 1158.3.1:2005 and any subsequent amendments; and</li> <li>ii. The direct or indirect illumination of outdoor areas associated with any other non-aviation activity shall not exceed 8 lux at the windows of residential buildings in any adjoining Residential zone.</li> </ul>
E	All Precincts	<p><b>Landscape Design</b></p> <ul style="list-style-type: none"> <li>i. Existing trees within the Designated Area are to be retained except where they affect the safe operation of the Airport, and provided that;</li> <li>ii. Any pohutukawa trees adjacent to Tirangi Road required to be removed shall be resited as close as is practicable to the boundary of Tirangi Road</li> </ul>
F	All Precincts	<p><b>Electromagnetic Radiation</b></p> <ul style="list-style-type: none"> <li>i. Any activity shall be conducted to comply with the New Zealand NZS 6609:1990 (Radio Frequency Radiation) and any subsequent amendments.</li> </ul>
G	<p>Sites identified on <b>Attachment 3</b></p> <p>(Sites on the east side of the runway fronting Broadway,</p>	<p><b>Restricted Site Access for Vehicles</b></p> <ul style="list-style-type: none"> <li>i. No vehicle shall be permitted to a site across any Restricted road frontage identified on Attachment 3.</li> </ul>

Condition Sub-Reference	Precinct / Location	Activity / Criteria
	<p>Miro Street and Calabar Road.</p> <p>Sites on the west side of the runway).</p>	<p><b>Site Access for Vehicles</b></p> <ul style="list-style-type: none"> <li>ii. Site access for vehicles shall be provided and maintained in accordance with the standards set out in Appendix 3 of the Wellington City District Plan Airport and Golf Course Recreation Precinct Chapter 11; and</li> <li>iii. There shall be a maximum of one site access to any site, except that sites with more than one frontage may have one access across each frontage; and</li> <li>iv. The width of any site access shall not exceed 6 metres; and</li> <li>v. Where site access can be provided from a service lane or right of way registered in favour of the site or other private road or private right of way, no site access shall be from a street; and</li> <li>vi. No site access shall be sited closer to a street intersection than the following: <ul style="list-style-type: none"> <li>- Arterial and principal streets: 20m</li> <li>- Collector streets: 15m</li> <li>- Other streets: 10m; and</li> </ul> </li> <li>vii. Any site access shall be designed to permit a free flow of traffic so that vehicles do not have to queue on the street.</li> </ul>
H	Terminal Precinct	<p><b>Signage</b></p> <ul style="list-style-type: none"> <li>i. Any sign located on a building: <ul style="list-style-type: none"> <li>a. That is affixed to the underneath of a verandah shall provide at least 2.5 metres clearance directly above the footpath or ground level; and</li> <li>b. Shall be displayed only on plain wall surfaces; and</li> <li>c. Shall not obscure windows or architectural features; and</li> </ul> </li> </ul>

Condition Sub-Reference	Precinct / Location	Activity / Criteria
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- d. Shall not project above the parapet level, or the highest part of that part of the building/structure to which it is attached (including above verandah). This part of the condition does not apply to temporary signs; and
- e. Any sign located on a building in excess of 12 metres in height above ground shall bear only the name and/or logo of the building owner or occupier, or the building on which the sign is located; and
- f. Any sign located on a building in excess of 12 metres in height above ground level shall not flash; and
  - ii. Any illuminated sign (excluding signs below verandah level) within 50 metres and visible from any Residential zone shall not flash; and
  - iii. Any free-standing sign or sign located on a structure shall not exceed a maximum height of 9 metres (above ground level).

2. Notwithstanding Condition 1, in accordance with section 176A(2) of the RMA an outline plan need not be submitted for works and activities associated with the following:
- a) Any activity relating to or supporting Airport Operations within the Airside Precinct; or
  - b) Signage within any precinct where it is related to the purpose of directing pedestrian or vehicular traffic, or to provide safety and security information; or
  - c) Lighting poles and navigational instruments; or
  - d) Building or structure maintenance or repair; or
  - e) Upgrade or maintenance of existing formed roads and public accessways; or
  - f) Pavement maintenance or repair; or
  - g) Landscape maintenance or repair; or
  - h) Earthworks, other than those which do not comply with the conditions in Table 1 in the Rongotai Ridge Precinct; or

- i) Placement / maintenance of street furniture or art / sculptures; or
  - j) Maintenance or repair of lighting, signage and other existing fixtures or structures.
3. Where an outline plan is required under Section 176A of the RMA as a result of a non-compliance with any relevant criteria as set out in Table 1, the outline plan shall include, in addition to the matters required under section 176A(3) of the RMA, a Design Statement. The purpose of this Statement shall be to demonstrate how the following outcomes will be achieved:
- a) That site levels and building form, colour and texture reduce the apparent height and bulk of large buildings when viewed from adjoining public or residential areas;
  - b) Variations in building mass, height and architectural form have been considered in order to provide visual interest, reduce visual massing and promote visual permeability through the higher elements of built form to maintain view lines from adjoining more elevated properties to the east where this is practicable;
  - c) Incorporation of landscaping treatment where appropriate in order to assist in providing visual softening of large buildings and the screening of parking, loading and storage areas;
  - d) That any signage proposed will be integrated with the building form and surrounding architectural and landscape design; and
  - e) That low glare, high cut off exterior lighting is used, and integrated with the building form and surrounding architectural and landscape design.
4. Within the Rongotai Ridge Precinct, where an outline plan is required under Section 176A of the RMA, the outline plan specific to this area shall include, in addition to the matters required under section 176A(3) of the RMA, a report or reports covering the following matters:
- a) Whether any earthworks will alter the existing topography of the site and the impacts on the area's amenity values and cultural values;
  - b) The extent to which earthworks affect the stability and erosion potential of the site and surrounding sites; and,
  - c) Whether any landscape treatment is necessary, and if so, whether it is in scale with the proposed development.
5. Prior to any work or activity which requires an outline plan under Section 176A of the RMA, the Requiring Authority shall prepare or update a Network Utilities Management Plan. The purpose of the Plan shall be to inform the relevant network utility providers that enabling work, design, and construction of any development or construction activity, takes account of

(and includes measures to address) the safety, integrity, protection (or where necessary) relocation of exiting network utilities.

### **Aircraft Operations Noise**

6. The Requiring Authority shall ensure that all aircraft operations are managed so that the rolling day average 24 hour night-weighted sound exposure does not exceed a Day/night Level (Ldn) of 65dBA outside the Air Noise Boundary shown on District Plan Map 35.
7. Aircraft noise shall be measured in accordance with NZS6805:1992 and calculated as a 90 day rolling average. All terminology shall have the meaning that may be used or defined in the context of NZS:6805.
8. The following aircraft operations shall be excluded from the calculation of the rolling 90 day average described in Conditions 6 and 7:
  - a) Aircraft landing in an emergency;
  - b) The operation of emergency flights required to rescue persons from life-threatening situations or to transport patients, human vital organs or medical personnel in an emergency;
  - c) The operation of unscheduled flights required to meet the needs of a national civil defence emergency declared under the Civil Defence Act 2002;
  - d) Military aircraft operations.
9. The Requiring Authority shall ensure that:
  - a) All domestic aircraft operations shall not occur during the hours from midnight (12am) to 6am; and
  - b) All international aircraft operations shall not occur during the hours:
    - i. Midnight to 6am for departures.
    - ii. 1am to 6am for arrivals.

*For the purposes of this condition, "operations" means the start of the take-off roll or touch down on landing.*
10. The following are exceptions to Condition 9:
  - a) Disrupted flights where aircraft operations are permitted for an additional 30 minutes;



- b) In statutory holiday periods where operations are permitted for an additional 60 minutes;

*For the purposes of this condition, statutory holiday period means:*

- i. The period from 25 December to 2 January, inclusive. Where 25 December falls on either a Sunday or Monday, the period includes the entire of the previous weekend. Where 1 January falls on a weekend, the period includes the two subsequent working days. Where 2 January falls on a Friday, the period includes the following weekend.*
  - ii. The Saturday, Sunday and Monday of Wellington Anniversary weekend, Queens Birthday Weekend and Labour Weekend.*
  - iii. Good Friday to Easter Monday inclusive.*
  - iv. Waitangi Day.*
  - v. ANZAC Day.*
  - vi. Where Waitangi Day or ANZAC Day falls (or is recognised) on a Friday or a Monday, the adjacent weekend is included in the statutory holiday period.*
  - vii. The hours from midnight to 6am immediately following the expiry of each statutory holiday period defined in (i) to (vi).*
- c) Aircraft using the Airport as a planned alternative to landing at a scheduled airport, but which shall not take-off unless otherwise permitted under Condition 9;
- d) Aircraft landing in an emergency;
- e) The operation of emergency flights required to rescue persons from life threatening situations or to transport patients, human vital organs, or medical personnel in a medical emergency;
- f) The operation of unscheduled flights required to meet the needs of any state of emergency declared under the Civil Defence Emergency Management Act 2002 or any international civil defence emergency;
- g) Aircraft carrying heads of state and/or senior dignitaries acting in their official capacity or other military aircraft operations;
- h) No more than 4 aircraft movements per night with noise levels not exceeding 65 dB LAFmax (1 sec) at or beyond the Air Noise Boundary.

*For the purposes of this condition, night means between midnight and 6am [and consistent with Condition 9].*

## Engine Testing

11. The Requiring Authority shall ensure that aircraft propulsion engines may be run within the Designated Area for the purpose of engine testing as follows:
- a) Undertaken during the hours of 6am to 8pm only;
  - b) To carry out essential unscheduled maintenance between 8pm and 11pm only;
  - c) To operate an aircraft within flying hours but provided the engine run is no longer than required for normal procedures, which for the purpose of this condition, shall provide solely for short duration engine runs by way of flight preparation while the aircraft is positioned on the apron;
  - d) No person shall start or run any aircraft propulsion engine for the purposes of engine testing on the locations shown on the map attached as **Attachment 4**;
  - e) Restrictions on engine testing from 11pm to 6am do not apply if engine testing can be carried out in compliance with all of the following:
    - i. measured noise levels do not exceed 60 dB  $L_{AEO}$  (15 min) at or within the boundary of any residential zone;
    - ii. measured noise levels do not exceed 75 dB  $L_{AFmax}$  at or within the boundary of any residential zone;
    - iii. noise levels shall be measured in accordance with NZS6801: 2008 Acoustics – Measurement of Environmental Sound;
    - iv. the total number of engine test events relating to aircraft using the Airport as an alternate landing site shall not exceed 18 in any consecutive 12 month period;
    - v. the total duration of engine test events relating to aircraft using the Airport as an alternate landing site in terms of Condition 10 c) shall be no more than 20 minutes.

## Ground Power and Auxiliary Power Units (GPUs/APUs)

12. The Requiring Authority shall ensure that the operation of ground power units (**GPUs**) and auxiliary power units (**APUs**) when measured at any adjoining Residential zone shall not exceed the following limits:
- a) Monday to Saturday 7am to 10pm      55 dB  $L_{AEO}$  (15 MIN)
  - b) At all other times                              45 dB  $L_{AEO}$  (15 MIN)
  - c) All days 10pm to 7am                        75 dB  $L_{AFmax}$

Exception that these limits shall not apply to APUs for:

- i. Aircraft under tow;
- ii. The first 90 minutes after an aircraft has stopped on the gate;

- iii. 60 minutes prior to scheduled departure;
- iv. The use of APUs to provide for engine testing pursuant to Condition 11.

### Land Based Noise

13. The Requiring Authority shall ensure that noise emission levels from any activity within the Designated Area, other than aircraft operations, engine testing and the operation of APUs when measured at any adjoining Residential zone, shall not exceed the following limits:
- a) Monday to Saturday 7am to 10pm 55 dB L<sub>AEQ</sub> (15 MIN)
  - b) At all other times 45 dB L<sub>AEQ</sub> (15 MIN)
  - c) All days 10pm to 7am 75 dB L<sub>AFmax</sub>

### Noise Management Plan

14. Without in any way limiting its obligations to fully comply with the conditions attaching to this designation, the Requiring Authority shall update its Noise Management Plan (“**NMP**”) which describes in detail how it proposes to manage the Airport in order to comply with the relevant noise conditions.
15. The Noise Management Plan shall include, as a minimum:
- a) A statement of noise management objectives and policies for the Airport;
  - b) Details of methods and processes for remedying and mitigating adverse effects of Airport noise including but not limited to:
    - i. improvements to Airport layout to reduce ground noise;
    - ii. improvements to Airport equipment (including provision of engine test shielding such as an acoustic enclosure for propeller driven aircraft) to reduce ground noise;
    - iii. aircraft operating procedures in the air and on the ground procedures to minimise noise where this is practicably achievable;
  - c) The procedures for the convening, ongoing maintenance and operation of the Airport Noise Management Committee (“**ANMC**”) as set out in Condition 17;
  - d) The mechanisms to give effect to a noise monitoring programme to assess compliance with Conditions 6 – 13;
  - e) The procedures for reporting to the ANMC any Aircraft Operations and engine testing activities which contravene a condition of this designation;
  - f) Fulfilment of the LUMINs programme (as required);

- g) The dispute resolution procedures to resolve any disputes between Wellington International Airport Limited (“**WIAL**”) and ANMC about the contents and implementation of the NMP;
  - h) The procedures for reviewing and amending the NMP.
16. The relevant version of the Noise Management Plan shall be made available to the public on WIAL’s web site.
17. The Requiring Authority shall at its cost be responsible for the ongoing membership and function of the ANMC identified in Condition 15 c). The purpose, membership and functions of the ANMC shall be set out within the Terms of Reference included in the NMP.

### **Car Parking**

18. On an annual basis, the Requiring Authority shall submit to the Wellington City Council a report describing the current status of Airport car parking demand and supply. The report shall include a description of traffic management and car parking within the Airport environs, and an overview of any planned changes or improvements in order to improve the efficiency and effectiveness of the provisioning for car parking within the Airport.

**Attachment 1**

**Designation Boundary**



## **Attachment 2**

### **Precinct Areas**

### Airport Precincts

- 1 Terminal Area
- 2 Broadway Area
- 3 South Coast Area
- 4 Rongotai Ridge
- 5 West Side
- 6 Airside

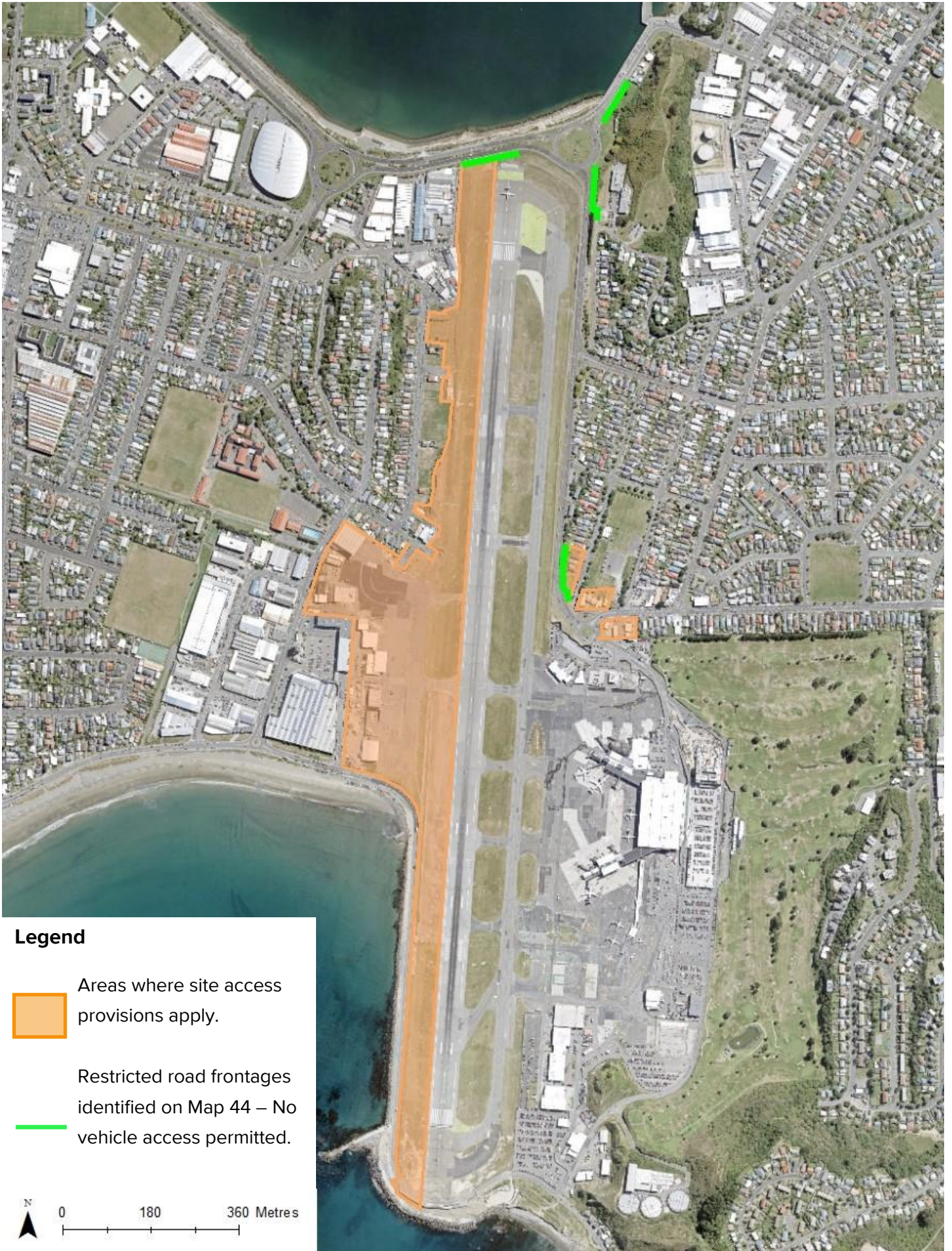


Airport Precinct Development Areas





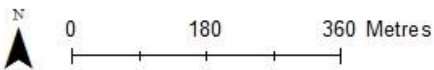
**Attachment 3**

**Site Access for Vehicles – Location Map**



**Legend**

-  Areas where site access provisions apply.
-  Restricted road frontages identified on Map 44 – No vehicle access permitted.



**Attachment 4**

**Engine Testing Exclusion Area**



Figure XX: Engine testing exclusion area

## **Annexure B**

### **Copy WIAL's Noise Management Plan**